



Issue Batch No.: W89
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of Allowance: January 29, 1998
Serial No.: 08/892,190

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Atul M. Mehta, Andrew L. Zeitlan, and Maghsoud M. Dariani
Serial No.: 08/892,190
Filed: July 14, 1997
For: IMPROVED DELIVERY OF MULTIPLE DOSES OF
MEDICATIONS
Group No.: 1205
Examiner: R. Henley, III

Assistant Commissioner for Patents
Washington, D.C. 20231

SIR:

**DECLARATION OF ATUL M. MEHTA IN SUPPORT OF PETITION
TO THE COMMISSIONER PURSUANT TO 37 C.F.R. § 1.182 TO
ACCEPT REVOCATION OF APPOINTMENT OF ATTORNEY**

I, Atul M. Mehta, hereby declare as follows:

1. I am the first-named inventor and applicant in the above-identified patent application.
2. I make this declaration in support of my Petition to the Commissioner Pursuant to 37 C.F.R. § 1.182 to accept the revocation of all powers of attorney previously given by me and the appointment of Walter E. Hanley, Jr. (Reg. No. 28,720) as my attorney in connection with this application and any applications in my name claiming priority from this application.

EM505104448US

3. I am President and principal scientist of Elite Laboratories, Inc. ("Elite"), the business of which includes research and development in the field of controlled release formulations for pharmaceuticals. The invention which is the subject of the above-identified application arose out of work performed pursuant to a research and development agreement between Elite and Celgene Corporation ("Celgene"). The other individuals named as inventors in the above-identified application are employed by Celgene.

4. John D. Caldwell (Reg. No. 28,937) was engaged by Celgene to prepare and prosecute the above-identified application. I signed a Combined Declaration and Power of Attorney on July 10, 1997 appointing Mr. Caldwell to act as my attorney in the prosecution of the application.

5. In the course of the prosecution of the above-identified application, I was not provided copies of the submissions to and communications received from the PTO as they were submitted or received by Mr. Caldwell. I received copies of such materials only after Elite's attorney specifically requested Mr. Caldwell to provide them.

6. I understand that a divisional application claiming priority from the above-identified application has been filed in my name. I was not informed by Mr. Caldwell of the filing of this divisional application when it occurred. I learned of the filing of this divisional application after the fact, and only after Elite's attorney spoke to Mr. Caldwell about the subject of continuation applications.

7. I also understand that an international application directed to the subject matter of the above-identified application has been filed in my name. I was not informed by Mr. Caldwell of the filing of this international application when it occurred. I learned of the filing of this

international application after the fact. I would not have authorized Mr. Caldwell to file this international application had I known about it. I have not yet been provided a copy of this international application by Mr. Caldwell.

8. In summary, although I appointed Mr. Caldwell to act for me in the prosecution of the above-identified application, Mr. Caldwell has not kept me informed of his activities and of the events in the prosecution of the above-identified application and of the filing of other applications in my name claiming priority from the above-identified application. Consequently, I wish to revoke the power of attorney to Mr. Caldwell and substitute my own attorney in order that I may be informed through my attorney of events pertaining to the above-identified application and other applications claiming priority from it.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 30, 1998.

Atul M. Mehta

ATUL M. MEHTA